

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LUIS ROCHA,

Plaintiff,

v.

TODD SCOTT and RAY ALLEN,

Defendants.

Case No. 09-CV-0475-MJR

ORDER

REAGAN, District Judge:

This prisoner civil rights case was referred to Magistrate Judge Clifford J. Proud on June 1, 2009. Currently pending is Judge Proud's report and recommendation (Doc. 33) on Defendants Scott and Allen's motion for summary judgment (Doc. 23). Judge Proud recommends that the Court grant the motion and dismiss the case without prejudice because Rocha had failed to exhaust his administrative remedies before suing.

The Report was served on the defendants electronically on the day of issuance (March 1, 2010) and on Rocha by mail the next day. Served with the report was a notice informing the parties of their right to file objections to the report within 14 days of service. To date, no objections have been filed, and the period in which such objections may be filed has expired. Without objections from either party, the Court need not conduct de novo review. 28 U.S.C.A. § 636(b) (West Supp. 2009); *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985); *Video Views Inc. v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986); *see also Shur v. L.A. Weight Loss Ctrs., Inc.*, 557 F.3d 752, 760 (7th Cir. 2009) (“If no party objects to the magistrate judge’s action, the district judge may simply accept it.”).

The Court **ADOPTS** the report and recommendations of Judge Proud in their entirety (Doc. 33). Accordingly, the Court **GRANTS** the defendants' motion (Doc. 23) and **DISMISSES** the case **WITHOUT PREJUDICE**. The Clerk is **DIRECTED** to close the case.

IT IS SO ORDERED.

DATED May 24, 2010.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge